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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,848	09/18/2001	Makoto Murata	2576-120	1439
6449	7590	07/27/2005	EXAMINER	
ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,848

Applicant(s)

MURATA, MAKOTO

Examiner

Brandon J. Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7-10,12,13,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7-10,12,13,15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-5, 7-10, 12-13, 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich in view of Kessler.

Regarding claim 1 Alperovich teaches a mobile telephone connected to a network system for mobile communications accommodating a plurality of mobile telephones (see col. 3, lines 1-16). Alperovich teaches generating user information related to a condition of a user that includes a specified user language and/or specified user medical data; and transmitting the user information on the network system for mobile communications (see col. 2, lines 17-18 & 21-22, col. 3, lines 64-67, and col. 4, lines 1-7). Alperovich teaches previously setting information related to a language that the user understands (see col. 2, lines 16-22, col. 3, lines 64-67 and col. 4, lines 1-7). Alperovich teaches subscriber specified data associated with a mobile station that includes a subscriber's preferred language (see col. 2, lines 11-13 & 16-17). Alperovich does not specifically teach adding to user information the information related to a language that the user understands. Kessler teaches adding to user information the information related to a language that the user understands (see abstract, pg. 5, lines 20-25, pg. 6, lines 3-6 & 23-29, and col. 7, lines 1-3 & 10-12). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to make the Alperovich adapt to include adding to user information the information related to a language that the user understands because subscriber specified data can include new information and it would allow for efficient routing of emergency calls based on a preferred preference.

Regarding claim 2 Alperovich teaches acquiring positional information of a mobile telephone (see col. 5, lines 31-34). Alperovich teaches providing positional information of the mobile telephone as user information (see col. 5, lines 35-41).

Regarding claim 4 Alperovich teaches a user inputting a code defining a condition of the user (see col. 3, lines 66-67 and col. 4, lines 1-2 & 60-64. Alperovich teaches adding to user information the code defining the condition of the user (see col. 53-64.

Regarding claim 5 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 7 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 8 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 9 Alperovich teaches a method of communicating information, for use in a mobile telephone connected to a network system for mobile communications accommodating a plurality of mobile telephones (see col. 3, lines 1-16). Alperovich teaches generating user information related to a condition of a user that includes a specified user language and/or specified user medical data; and transmitting the user information on the network system for mobile communications (see col. 2, lines 17-18 & 21-22, col. 3, lines 64-67,

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and col. 4, lines 1-7). Alperovich teaches previously setting information related to a language that the user understands (see col. 2, lines 16-22, col. 3, lines 64-67 and col. 4, lines 1-7).

Alperovich teaches subscriber specified data associated with a mobile station that includes a subscriber's preferred language (see col. 2, lines 11-13 & 16-17). Alperovich does not specifically teach adding to user information the information related to a language that the user understands. Kessler teaches adding to user information the information related to a language that the user understands (see abstract, pg. 5, lines 20-25, pg. 6, lines 3-6 & 23-29, and col. 7, lines 1-3 & 10-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Alperovich adapt to include adding to user information the information related to a language that the user understands because subscriber specified data can include new information and it would allow for efficient routing of emergency calls based on a preferred preference.

Regarding claim 10 Alperovich teaches a device as recited in claim 2 and is rejected given the same reasoning as above.

Regarding claim 12 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 13 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 15 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 16 Alperovich teaches a device as recited in claim 4 and is rejected given the same reasoning as above.

Response to Arguments

Applicant's arguments with respect to claims 1-2, 4-5, 7-10, 12-13, and 15-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aarnio US Patent No. 6,522,889 discloses a method and apparatus for providing precise location information through a communications network.

Barnier et al. US Patent No. 6,690,932 discloses a system and method for providing language translation services in a telecommunication network.

Antonucci et al. US Patent No. 6,584,307 discloses a system and method for communicating between a special number call answering agency and a mobile action asset.

Maystre et al. US Patent No. 6,032,036 discloses an alarm and emergency call system.

Calaman US Patent No. 6,294,993 discloses system for providing personal security via event detection.

Lietsalmi et al. US Patent No. 6,201,974 discloses a mobile station and network having hierarchical index for cell broadcast service.

Dietz US Patent No. 6,385,586 discloses a speech recognition text-based language conversion and text-to-speech in a client-server configuration to enable language translation devices.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869.

The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



July 22, 2005



**WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**